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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/439,890	11/12/1999	TAKESHI SUZUKI	P/3541-3	2252

7590

05/23/2002

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EXAMINER

CHUNG, DANIEL J

ART UNIT

PAPER NUMBER

2672

DATE MAILED: 05/23/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/439,890

Applicant(s)

SUZUKI, TAKESHI

Examiner

Daniel J Chung

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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## **DETAILED ACTION**

### ***Priority***

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Drawings***

The drawings are not objected to by the Draftperson as shown in the enclosed form PTO-948.

### ***Specification***

Please review the application and correct all informalities.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily

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published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Katayama et al (6,141,036).

Regarding claim 1, Katayama et al discloses that the claimed feature of an image reproduction apparatus comprising:

Display image discrimination[105,146,201,202] means for discriminating a display mode in which selected image data is to be displayed; display mode setting means for setting the display mode, which is discriminated by the display image discrimination means, to the image data; display means for displaying the image data in the display mode set by the display mode setting means. (See Abstract, Fig 2, Fig 3, Fig 4, Fig 10, Fig 12, Fig 14)

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Katayama et al in view of Morag (6,324,545).

Regarding claim 2, Katayama et al discloses that the display mode setting means includes means for appropriately setting a location and size of each image data to be displayed and laying out all images within a designated display area when the display image discrimination means discriminates that the image data is to be displayed at a glance. (See Abstract, Fig 8, Fig 11, Fig 13)

Katayama et al does not explicitly disclose that setting a location and size of each image data to be displayed(layout). However, Morag discloses that personalized photo album with an optimal layout of images in the album. (See Fig 2, col 2 line 39-50, col 7 line 15-27) The motivation would have been to provide user-friendly personalized album for recognizing the image data with effective way. Therefore, it would have been obvious to one skilled in the art to incorporate the teaching of Morag into the teaching of Katayama et al.

Regarding claim 3, Katayama et al discloses that the display image discrimination means includes means for discriminating that the image data is a panoramic image when the aspect ratio of the image data differs from that of a display

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area of a display device. (See Fig 3B, Fig 10, Fig 11, col 2 line 48-53, col 3 line 2-3, col 8 line 1-14)

Regarding claim 4, Katayama et al discloses that the display mode setting means includes means for performing a scroll operation of a panoramic image in a display area using a frame advance button when the display image discrimination means discriminates that the image data is to be displayed panoramically. (See Fig 3B, Fig 10, Fig 11, col 2 line 48-53, col 3 line 2-3, col 8 line 1-14; Also See col 3 line 10-25, col 8 line 55-col 9 line 22 in Morag)

Regarding claim 5, Katayama et al discloses that the display mode setting means includes means for, when the frame advance button is operated again after the scroll operation of the panoramic image is completed, starting a scroll operation of a subsequent panoramic image automatically. (See Fig 3B, Fig 10, Fig 11, col 2 line 48-53, col 3 line 2-3, col 8 line 1-14; Also See col 3 line 10-25, col 8 line 55-col 9 line 22 in Morag)

Regarding claim 6, Katayama et al discloses that the display means includes means for switching a scroll display mode for scrolling a panoramic image and a frame advance display mode for advancing images frame by frame. (See Fig 3B, Fig 10, Fig 11, col 2 line 48-53, col 3 line 2-3, col 8 line 1-14; Also See col 3 line 10-25, col 8 line 55-col 9 line 22 in Morag)

Regarding claim 7, Katayama et al discloses that the display means includes means for switching an entire reduced image display mode in which a panoramic image is reduced as it is and the reduced panoramic image is displayed at once within a display area and a scroll display mode in which a panoramic image of a normal size is scrolled and displayed. (See Fig 11B, col 8 line 10-14)

Regarding claim 8, Katayama et al discloses that the display means includes means for clearly displaying whether an image displayed in a display area is part or all of the image data. (See Abstract; Also See Abstract, col 10 line 41-col 11 line 6, col 11 line 25-45 in Morag)

Regarding claim 9, Katayama et al discloses that the display means includes means for performing a superimpose display to show which portion of a panoramic image is currently displayed in a display area when the panoramic image is scrolled in a normal size. (See col 1 line 31-40, col 6 line 41-49; Also See col 3 line 9-25 in Morag)

Regarding claim 10, Katayama et al discloses that the display means has a divided image stepping display mode in which a panoramic image is divided into a plurality of area and the area are advanced frame by frame and displayed step by step when an aspect ratio of the panoramic image is plural times larger than that of a display

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area. (See Fig 3B, Fig 10, Fig 11, col 2 line 48-53, col 3 line 2-3, col 8 line 1-14; Also See col 3 line 10-25, col 8 line 55-col 9 line 22 in Morag)

Regarding claim 11, Katayama et al discloses that a single/overall image display mode switching means for, when a panoramic image is displayed in a display area, switching between a single image display mode and an overall imaged display, the single image display mode performing a single image display including a representative image display and a reduced image display, and the overall image display mode performing an overall image display including a divided image stepping display and a scroll display (See Abstract, Fig 2, Fig 3, Fig 4, Fig 10, Fig 12, Fig 14, col 2 line 48-53, col 3 line 2-3, col 8 line 1-14)

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel J. Chung whose telephone number is (703) 306-3419. He can normally be reached Monday-Thursday and alternate Fridays from 7:30am- 5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael, Razavi, can be reached at (703) 305-4713.

**Any response to this action should be mailed to:**

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Commissioner of Patents and Trademarks  
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**or faxed to:**

**(703) 872-9314 (for Technology Center 2600 only)**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal  
Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or  
proceeding should be directed to the Technology Center 2600 Customer Service Office  
whose telephone number is (703) 306-0377.

djc  
May 19, 2002

A handwritten signature in black ink, appearing to read 'Matthew Luu', with a large, sweeping initial 'M'.

**MATTHEW LUU  
PRIMARY EXAMINER**